

wherein said PEG-3 promoter has PEG-3 promoter activity and is about 464 nucleotides long, the entire length of which is at least about 95% identical to the sequence of nucleotides 1507 to 1970 of SEQ ID NO:1.

By
care

[Please **add** new claim 40 as follows:]

40. (NEW) The isolated nucleic acid of claim 39, wherein the entire length of the PEG-3 promoter is at least about 99% identical to the sequence of nucleotides 1507 to 1970 of SEQ ID NO:1.

IN THE SPECIFICATION

Please **insert** the following paragraph at page 1, line 6, before the first paragraph of the application:

By
This application is a continuation-in-part application of
U.S. Patent Application No. 09/052,753, ^{now US Patent No. 6,472,520} filed March 31,
1998, which is a continuation-in-part application of
International Application No. PCT/US98/05793, filed March
20, 1998.